

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GEORGE EDWARD HELDT
LINDA ANN HELDT,

Plaintiffs,

v.
STATE OF MICHIGAN DEPARTMENT
OF TREASURY, JAY B. RISING, STATE
TREASURER MARY G. MACDOWELL,
DIRECTOR FINANCIAL SERVICES BUREAU,

Case No. 06-10098
HONORABLE AVERN COHN

STATE OF MICHIGAN DEPARTMENT OF
TREASURY, MICHAEL REYNOLDS,
ADMINISTRATOR, COLLECTION DIVISION

MICHIGAN ACCOUNTS RECEIVABLE COLLECTION
SYSTEM AND CG SERVICES LIMITED PARTNERSHIP
SHEILA FEWS, COLLECTION MANAGER,

MACOMB COUNTY REGISTER OF DEEDS,
CARMELLA SABAUGH, MACOMB COUNTY CLERK,

Defendants.

**ORDER REQUIRING RESPONSIVE PLEADINGS TO DISPOSITIVE MOTIONS AND
DENYING PLAINTIFFS' MOTION FOR DISCOVERY WITHOUT PREJUDICE**

This is a tax case. Plaintiffs, proceeding pro se, are challenging a tax lien by the State of Michigan on real property owned by plaintiffs. The tax lien was imposed as a result of plaintiffs' failure to properly file income tax returns and failure to timely challenge the assessment. Plaintiffs claim the tax lien violates state and federal law.

Before the Court are several motions:

- * The State Defendants' (Michigan Department of Treasury, Jay B. Rising, Mary G. MacDowell, Michael Reynolds, Michigan Accounts Receivable Collection Systems) motion to set aside entry of default on the grounds that the default judgment is void because the Court lacks subject matter jurisdiction. Plaintiffs have responded to this motion.
- * The State Defendants' motion to dismiss. Plaintiffs have responded to this motion.
- * Defendants CG Services Limited Partnership and Sheila Fews' motion to dismiss. Plaintiffs have not yet responded to this motion.
- * Defendant Carmella Sabaugh, Macomb County Register of Deed's motion to dismiss. Plaintiff have not yet responded to this motion.
- * Plaintiffs' motion for discovery. Defendants have not yet responded to this motion.

Because the Court must resolve defendants' motions to dismiss prior to ruling on plaintiffs' request for discovery, plaintiffs shall respond to (1) CG Services Limited Partnership and Sheila Fews' motion to dismiss and (2) Carmella Sabaugh, Macomb County Register of Deed's motion to dismiss **no later than Monday, May 1, 2006**.

Plaintiffs' motion for discovery is DENIED WITHOUT PREJUDICE.

Following receipt of plaintiffs' responses, the Court will either schedule the motions for hearing or resolve them based on the papers before it.

SO ORDERED.

Dated: April 13, 2006

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was George Heldt, Linda Heldt, 7706 Granite, Washington, MI 48094 and mailed to counsel of record on this date, April 13, 2006, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160